

**Subject:** Re: Fw: Yakima Herald asks for SDWA action? Anyone follow-up on this?  
**To:** CN=Marianne Holsman/OU=R10/O=USEPA/C=US@EPA  
**Cc:** CN=Marie Jennings/OU=R10/O=USEPA/C=US@EPA CN=Mark Macintyre/OU=R10/O=USEPA/C=US@EPA CN=Michael Cox/OU=R10/O=USEPA/C=US@EPA CN=Sheila Fleming/OU=R10/O=USEPA/C=US@EPA CN=Thomas Eaton/OU=R10/O=USEPA/C=US@EPA  
**From:** CN=Jeff Philip/OU=R10/O=USEPA/C=US  
**Submit Time:** 10/3/2012 21:49:39

I also sent her a copy of the letter she sent to us in 2008. In that letter she asked:

***"Would EPA consider invoking emergency authority under Section 1431 of the Safe Drinking Water Act to address the problem?"***

Then in the report we stated:

***"The reporter sent a letter requesting that EPA invoke Section 1431 of the Safe Drinking Water Act (SDWA) to address the problem."***

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**Jeff Philip**  
Unit Manager  
Public Affairs Unit  
U.S. Environmental Protection Agency, Region 10  
Seattle, Washington  
206.553.1465  
206.388.7505 cell

<http://epa.gov/region10>

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Marianne Holsman---10/03/2012 01:16:50 PM--

**Deliberative Process / Ex. 5**

**Deliberative Process / Ex. 5**

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**From:** Marianne Holsman/R10/USEPA/US  
**To:** Marie Jennings/R10/USEPA/US@EPA,  
**Cc:** Jeff Philip/R10/USEPA/US@EPA, Mark Macintyre/R10/USEPA/US@EPA, Michael Cox/R10/USEPA/US@EPA, Sheila Fleming/R10/USEPA/US@EPA, Thomas Eaton/R10/USEPA/US@EPA  
**Date:** 10/03/2012 01:16 PM  
**Subject:** Re: Fw: Yakima Herald asks for SDWA action? Anyone follow-up on this?

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**Deliberative Process / Ex. 5**

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Email: holsman.marianne@epa.gov

Marie Jennings---10/03/2012 12:52:12 PM---HI Marianne I sent the letters Leah Beth Wards' letter and the EPA response directly to Leah and to

From: Marie Jennings/R10/USEPA/US  
To: Marianne Holsman/R10/USEPA/US@EPA  
Cc: Jeff Philip/R10/USEPA/US@EPA, Mark Macintyre/R10/USEPA/US@EPA, Michael Cox/R10/USEPA/US@EPA, Sheila Fleming/R10/USEPA/US@EPA, Thomas Eaton/R10/USEPA/US@EPA  
Date: 10/03/2012 12:52 PM  
Subject: Re: Fw: Yakima Herald asks for SDWA action? Anyone follow-up on this?

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HI Marianne

I sent the letters Leah Beth Wards' letter and the EPA response directly to Leah and to her supervisor who called me yesterday and stated that Leah Beth was out of town for a while and he wanted to see the letter immediately. The concern is whether or not Leah Beth directly requested us to use section 1431 or did she use the word "consider". She did use the word consider but we didn't use it on page 1 of the report. The dairies brought the issue up with the paper. Reporters as you know are not allowed to insert themselves in the process.

S. Marie Jennings  
Manager, Drinking Water Unit  
206-553-1893

Marianne Holsman---10/03/2012 12:31:40 PM---Jeff, are you going to send the letters back to Leah?  
\*\*\*\*\*

From: Marianne Holsman/R10/USEPA/US  
To: Jeff Philip/R10/USEPA/US@EPA  
Cc: Marie Jennings/R10/USEPA/US@EPA, Mark Macintyre/R10/USEPA/US@EPA, Michael Cox/R10/USEPA/US@EPA, Sheila Fleming/R10/USEPA/US@EPA, Thomas Eaton/R10/USEPA/US@EPA  
Date: 10/03/2012 12:31 PM  
Subject: Re: Fw: Yakima Herald asks for SDWA action? Anyone follow-up on this?

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Jeff, are you going to send the letters back to Leah?

\*\*\*\*\*

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Jeff Philip---10/02/2012 02:56:34 PM---Leah was asking about an email from 2008 she sent to Marie Jennings. She believes she asked if SDWA

From: Jeff Philip/R10/USEPA/US  
To: Mark Macintyre/R10/USEPA/US@EPA, Thomas Eaton/R10/USEPA/US@EPA, Marie Jennings/R10/USEPA/US@EPA, Michael Cox/R10/USEPA/US@EPA, Sheila

Fleming/R10/USEPA/US@EPA, Marianne Holsman/R10/USEPA/US@EPA  
Date: 10/02/2012 02:56 PM  
Subject: Fw: Yakima Herald asks for SDWA action? Anyone follow-up on this?

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Leah was asking about an email from 2008 she sent to Marie Jennings. She believes she asked if SDWA was applicable. But that somehow was represented as the Herald asking for us to invoke the SDWA. I think she is concerned that their inquiry started all the activity.

Has anyone followed up on this request or contacted Ms. Ward?

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----- Forwarded by Jeff Philip/R10/USEPA/US on 10/02/2012 02:53 PM -----

From: "Leah Beth Ward" <lward@yakimaherald.com>  
To: Jeff Philip/R10/USEPA/US@EPA,  
Date: 09/27/2012 01:53 PM  
Subject: study

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Hi Jeff,

EPA has many times said the Yakima Herald requested the invocation of the safe water drinking act. My recollection is that I asked if the law was applicable, which is slightly different. Do you have that original letter? I do not. It's something I should have clarified long ago.

Regards,

Leah Beth Ward